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13 Attorneys for Defendant
14 EDDIE BAUER, INC.

15 UNITED STATES DISTRICT COURT
16 SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 JUL -9 PM 12:38

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: ECL DEPUTY

FAXED

17 KRISTAL D. SCHERER, an individual, on
18 behalf of herself individually, all others
19 similarly situated, and on behalf of the
20 general public,

21 Plaintiff,

22 vs.

23 EDDIE BAUER, INC., a Delaware
24 corporation, and DOES 1 through 100,
25 inclusive,

26 Defendants.

CASE NO. 07-CV-2270-JM (AJB)

[Assigned to the Hon. Jeffrey T. Miller]

SUBSTITUTION OF COUNSEL ON
BEHALF OF DEFENDANT EDDIE
BAUER, INC.

27 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

28 PLEASE TAKE NOTICE that Defendant EDDIE BAUER, INC. hereby
substitutes Frank M. Liberatore, Esq., California State Bar No. 119976, of the law firm of
Jackson Lewis LLP, 5000 Birch Street, Suite 5000, Newport Beach, California 92660,
(949)885-1360, and Aryn J. Sobo, Esq., California State Bar No. 231813, also of the law
firm Jackson Lewis LLP, 725 S. Figueroa Street, Suite 2500, Los Angeles, California
90017, (213)689-0404, as its counsel of record in the place of its present counsel of

CASE NO. 07-CV-2270-JM (AJB)

1 SUBSTITUTION OF COUNSEL ON BEHALF
OF DEFENDANT EDDIE BAUER, INC.

ORIGINAL

CK

1 record, Kalia C. Petmecky, Esq., California State Bar No. 194094, of the law firm of
2 Akin, Gump, Strauss, Hauer & Feld LLP, 2029 Century Park East, Suite 2400, Los
3 Angeles, California 90067, (310)229-1000.

4 The foregoing substitution is accepted by Defendant Eddie Bauer, Inc. and by its
5 present counsel, Kalia Petmecky.

6
7 Dated: July 3, 2008

EDDIE BAUER, INC.

8
9 By: 

Freya Brier, Esq.

10 Senior Vice President & General
11 Counsel

12 Dated: July __, 2008

AKIN GUMP STRAUSS HAUER & FELD LLP

14 By: _____

15 Kalia Petmecky, Esq.

16 On behalf of Jackson Lewis LLP, I accept the foregoing substitution.

17 Dated: July 8, 2008

JACKSON LEWIS LLP

19 By: 

20 Frank M. Liberatore

1 record, Kalia C. Petmecky, Esq., California State Bar No. 194094, of the law firm of
2 Akin, Gump, Strauss, Hauer & Feld LLP, 2029 Century Park East, Suite 2400, Los
3 Angeles, California 90067, (310)229-1000.

4 The foregoing substitution is accepted by Defendant Eddie Bauer, Inc. and by its
5 present counsel, Kalia Petmecky.

6
7 Dated: July __, 2008

EDDIE BAUER, INC.

8
9 By: _____

10 Freya Brier, Esq.
11 Senior Vice President & General
12 Counsel

13 Dated: July 7, 2008

AKIN GUMP STRAUSS HAUER & FELD LLP

14 By: _____

15 Kalia Petmecky, Esq.

16 On behalf of Jackson Lewis LLP, I accept the foregoing substitution.

17 Dated: July __, 2008

JACKSON LEWIS LLP

18
19 By: _____

20 Frank M. Liberatore
21
22
23
24
25
26
27
28

PROOF OF SERVICE

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

CASE NAME: Scherer v. Eddie Bauer, Inc.

CASE NUMBER: 07-CV-2270-JM (AJB)

I am employed in the County of LOS ANGELES, State of California. I am over the age of 18 and not a party to the within action; my business address is 725 South Figueroa Street, Suite 2500, Los Angeles, California 90017-5408.

On July 9, 2008, I served the foregoing document described as: **SUBSTITUTION OF COUNSEL ON BEHALF OF DEFENDANT EDDIE BAUER, INC.** in this action by placing a true copy thereof in a sealed envelope addressed as follows:

KALIA PETMECKY, ESQ.
AKIN GUMP STRAUSS HAUER & FELD LLP
2029 CENTURY PARK EAST, SUITE 2400
LOS ANGELES, CALIFORNIA 90067

PHONE: (310) 229-1000
FAX:

SHELDON A. OSTROFF, ESQ.
LAW OFFICES OF SHELDON A. OSTROFF
1441 STATE STREET
SAN DIEGO, CALIFORNIA 92101

PHONE: (619) 544-0881
FAX: (619) 544-0892

JAMES C. KOSTAS, ESQ.
DAVID HUFFMAN, ESQ.
HUFFMAN & KOSTAS
1441 STATE STREET
SAN DIEGO, CALIFORNIA 92101

PHONE: (619) 544-0880
FAX: (619) 544-0892

☒ **BY MAIL:**

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **FEDERAL:**

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on July 9, 2008, at Los Angeles, California


ELIZABETH GARCIA-ZAPATA